

# **EXHIBIT K**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN)  ECF Case
This document relates to:  <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN)  ECF Case

**DECLARATION OF NATHAN PETERSON, JR.**

I, Nathan Peterson, Jr., pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was employed by ABM Maintenance Company and my duties were to recycle bottles and cans for the Port Authority. That morning, I was on the 58<sup>th</sup> floor of Tower 2, when I felt a big explosion like an earthquake, like the world was coming to an end – that was just the plane hitting Tower 1. Everyone was saying after the first plane hit Tower 1, that the explosion was a water tank explosion. When the lights went dim, I went toward the staircase. People were flooding the staircase, and I was knocked down many times, and I ended up getting off on the 44<sup>th</sup> floor. My co-workers did not want to leave their post on the 44<sup>th</sup> floor, so I tried to convince them to leave. We saw a lot of things flying out of the windows. I eventually

left the building, and I was standing right outside of Tower 2 when the plane ran into it. I saw people jumping out onto the plaza. At some point during the confusion with everyone running and me falling in the stairwells, I was injured. I ended up running all the way home. I didn't feel the scope of my injuries until the hours and days that passed, after my shock and trauma wore off – to a degree. It never wore off completely.

4. As a result of these terrorist attacks, I suffered the following specific injuries on September 11, 2001: I had a torn ligament in my shoulder, my neck, and low back pain due to falling on the stairs in Tower 2. An MRI showed nerve and muscle injury as a result of my falls. I was officially diagnosed with (1) tendinitis of left shoulder; (2) lumbar radiculopathy, (3) post traumatic stress disorder, and (4) cervical sprain. I had to undergo physical therapy and take anti-inflammatory medications. I also have asthma, so the air quality made it difficult for me to breathe for a while after. I was first treated in 2002 for reactive airway disease syndrome related to my exposure to dust from the World Trade Center. I also have pains that go down my arm, my fingers, and a mild heart attack in 2003. My physician said that the heart attack and pains come from my anxiety.

5. I suffered, and continue to suffer, severe emotional distress and PTSD as a result of the above terrorist attacks. In my mind, the World Trade Center is still standing. I didn't want to go to the doctor, I didn't want to see anyone, I didn't want to go outside, I didn't want to do anything, so I refused treatment from my injuries until January 2002. I stopped working for ABM on September 11, 2001, and was a shell of a person in my home after that. I am completely disabled as a result of my PTSD. I still take medication for my PTSD and to be able to sleep at night. I am in denial because I worked for 23 years in one place and I knew everyone in the building, I saw so many people come and go throughout the day who are all now dead. I lost many

friends and colleagues. I never once stayed home sick prior to 9-11. Everyone knew me there. I wake up in the night screaming and my wife has to perform most basic tasks for me now. I can't drive anymore. I am supposed to have an operation on my shoulder, but my anxiety prevents me from doing so because I feel like I will die. I continue to suffer from insomnia, nightmares, and headaches. I am not able to go into tall buildings, tunnels, bridges, crowds, and I have ongoing flashbacks and diminished sexual functioning. After 9-11, I was no longer able to live a normal life. I can barely talk about this incident.

6. After a thorough evaluation, the Social Security Administrative Law Judge concluded that I have been disabled since September 11, 2001, in part due to my post-traumatic stress disorder, a "severe" impairment. The evidence demonstrated that I have a depressive syndrome characterized by appetite disturbance with weight change, sleep disturbance, psychomotor retardation, feelings of guilt and hopelessness, and difficulty functioning and marked difficulties in maintaining concentration, persistence, or pace. My mental condition continued to deteriorate despite weekly to twice weekly sessions with my psychiatrist. My PTSD limits my ability to enjoy my life and have a functioning life.

7. Attached hereto as Exhibit B are my medical records relating to my physical and mental injuries sustained as a result of the September 11 terrorist attacks.

8. I filed a claim with VCF1 (Claim No. 212-004770), but did not receive compensation. I filed a claim with VCF2 (Claim No. 0004612), and my claim was determined to be eligible for compensation.

I declare UNDER PENALTY OF PERJURY that the foregoing is true and correct.

EXECUTED on this 9th day of January, 2020.

  
Signature of Declarant, Nathan Peterson, Jr.

# **Exhibits Filed Under Seal**